**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/385,597		
	Filing Date	August 30, 1999	
	First Named Inventor	James A. Parker	
	Group Art Unit	2876	
Examiner Name	Uyen Chau N. Le		
Total Number of Pages in This Submission	7	Attorney Docket Number	283-205 CIP 1

ENCLOSURES (check all that apply)

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Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Wall Marjama & Bilinski LLP George S. Blasiak	Reg. No. 37,283
Signature		
Date	July 12, 2004	

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Typed or printed name	Barbara A. Saltsman	
Signature		Date July 12, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

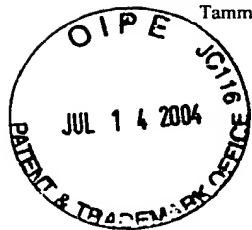
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By Tammy S. Senecal
Tammy S. Senecal

2876 \$/✓
PATENT

Attorney Docket No. 283-205 CIP 1 JGW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James A. Parker et al.

Application No.: 09/385,597

Filed: August 30, 1999

For: Optical Reader System Comprising
Local Host Processor and Optical Reader

Examiner: Uyen Chau N. Le

Art Unit: 2876

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR § 1.97 and
§ 1.98

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The PTO did not receive the following
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97 and §1.98

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to
the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the
prosecution of this application, and the references be made of record therein and appear among
the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information
and references cited are material to patentability. Also, no inference should be made that a
reference is prior art merely because it is included in this statement. Under 37 CFR §1.97(g), the
submission of an information disclosure statement should not be considered as representation that
a search has been made.

Patents owned by the Assignee and related to the present application were subject to assertions of invalidity and unenforceability in Civil Action No. 03-CV-102. All claims of invalidity and inequitable conduct relative to the Assignee's patents were dismissed from Civil Action No. 03-CV-102 prior to discovery relating to Assignee's patents, and the parties in that matter have settled.

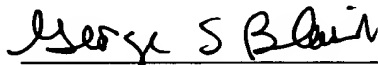
U.S. Patent No. 5,723,853, a continuation of an ancestor patent of the present application was subject to suit in Civil Action No. 04-003-A (see Defendant Answer, Reference No. AP). Civil Action No. 04-003-A was settled during discovery relative to U.S. Patent No. 5,723,853. MPEP §2001.06(c) states that "where the subject matter for which a patent is being sought is or has been involved in litigation, the existence of the litigation and any other material information arising therefrom must be brought to the attention of the U.S. Patent and Trademark Office." The Examiner is respectfully requested to notify the Applicants if the Examiner believes that the subject matter for which a patent is being sought in the present application is the subject matter of U.S. Patent No. 5,723,853.

Applicants believe that a fee is required for submission of this statement. We enclose our check for \$180.00. The Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0289. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

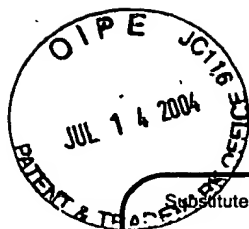
Date: JULY 12, 2004



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STATEMENT BY APPLICANT**

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Sheet 2 of 3

Complete if Known

Application Number	09/385,597
Filing Date	August 20, 1999
First Named Inventor	James A. Parker
Art Unit	2876
Examiner Name	Uyen Chau N. Le
Attorney Docket Number	283-205 CIP 1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

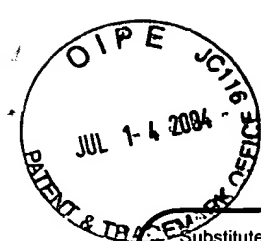
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AM	Civil Action No. 03-102-SLR, Complaint, Date January 21, 2003, pages 1-14	
	AN	Civil Action No. 03-102-SLR, Memorandum Order, Date November 14, 2003, pages 1-12	
	AO	Civil Action No. 03-102-SLR, Stipulation and Order, Date December 11, 2003, pages 1-3	
	AP	Civil Action No. 04-003-A, Defendant Symbol Technologies, Inc.'s Amended Answer and Counterclaims, March 8, 2004, pages 1-17	
	AQ	Intermec J7010 Hand-Held Imager User's Manual, Undated, but includes 1995 Copyright Notice, pages 1-A7.	
	AR	WELCH ALLYN, ScanTeam 3000 Series Technical Manual, 3000/TM Rev. E, August 1993 (estimated), pages 1-1 through 5-3.	
	AS	WELCH ALLYN, ScanTeam 3400 Decoded Output Operating Guide and Programming Menu, 3400/DO/UG, Rev. A, August 1994 (estimated), pages 1-1 through 6-3.	
	AT	WELCH ALLYN, ScanTeam 2400 User's Guide, Revision A, December 1995 (estimated), pages 1-52.	
	AU	WELCH ALLYN, ScanTeam 3000 PDF PDF417 Capable CCD Reader Technical Manual, Revision A, November 1995 (estimated), pages 1-1 through 4-22.	
	AV	WELCH ALLYN, ScanTeam 6180 Programming Menu, Revision F, October 1995 (estimated), pages 1-15.	
	AW	WELCH ALLYN, ScanTeam 6180/6280 Wand Technical Manual, Revision E, December 1996 (estimated), pages 1-1 through A-2.	
	AX	WELCH ALLYN, ImageTeam 4400 2D User's Guide, Revision A, June 1997 (estimated), pages 1-1 through 5-2.	
	AY	WELCH ALLYN, ImageTeam 4400 2D User's Guide, Revision D, February 1998 (estimated), pages 1-1 through 5-2.	
	AZ	WELCH ALLYN, ImageTeam 4400/4700 2D Series Hand-Held Imager User's Guide, Rev. F, November 1998 (estimated), pages 1-1 through 6-3.	
	BA	WELCH ALLYN, ImageTeam 4400/4700 2D Series Hand-Held Imager User's Guide, Revision G, April 1, 1999 (estimated), pages 1-1 through 9-3.	

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SignatureDate
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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BB	Metanetics Corp., IR-2000 Hand Held Image Reader User's Guide, Release Date November, 1996, pages 1-79	
	BC	Metanetics Corp., IR-2000HD Hand Held Image Reader User's Guide, March 1998, Version 2.6, pages 1-125	
	BD	NCR 7890 Presentation Scanner Installation Guide, Release F, April 30, 1997, pages 1-36	
	BE	Symbol Product Reference Guide, WK 2080 Bar Code Scanning System, Revision B, May 1993, pages 1-P55.	
	BF	Symbol Product LS 4000 Product Reference Guide, Revision A, December 1995, pages 1-1 through 2-65.	
	BG	Symbol Product 9100 Product Reference Guide, Revision A, November 1995, pages 1-1 through A-8.	
	BH	Symbol LS 4800 Series Product Reference Guide, Revision A, May 1996, pages 1-1 through G-1.	
	BI	Symbol LS 4800 Quick Reference, undated, but includes 1997 copyright notice, Copyright 1997 Symbol Technologies, Inc., pages 1-90.	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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